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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,265	08/27/2001	Paul A. Smethers	3399P061	4538
26529	7590	04/25/2005	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN/PDC 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025			APPIAH, CHARLES NANA	
			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/940,265

Applicant(s)

SMETHERS, PAUL A.

Examiner

Charles Appiah

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-4, 6, 7, 30-33, 34 and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by **Larsen (6,363,259)**.

Regarding claims 1 and 30, Larsen discloses a method of operating a hand-held mobile device and a hand-held mobile device, the method comprising: displaying a softkey indicator on a display of the hand-held mobile device, the softkey indicator indicating a corresponding softkey action (default or present function of operation key

being displayed in a predetermined area of the display, see col. 3, lines 17-20), displaying an input field for displaying characters input by a user in response to the user using the input device of the hand-held mobile device (detecting activation of the input field (telephone changing from "number handling state" when digits are entered and displayed in the main area of the display, see col. 3, lines 58-65, col. 5, lines 3-10), and in response to activation of the input field, automatically selecting a softkey action previously associated with the input field and automatically changing the softkey indicator to indicate the selected softkey action (state change event being caused by the user when he activates the keypad, see col. 3, lines 62-66, col. 4, lines 14-24 and Figs. 4-5).

Regarding claims 2 and 31, Larsen further discloses wherein activation of the input field comprises inputting one or more characters in the input field (see telephone number input field 23 as illustrated in Fig. 4, col. 4, lines 26-28).

Regarding claims 3 and 32, Larsen's telephone number input field as illustrated in Fig. 4, shows wherein activation of the input field comprises inputting one or more characters according to a predefined format in the input field.

Regarding claims 4 and 33, Larsen further discloses wherein activation of the input field comprises selecting the input field (see Fig. 4, input field 23 being selected with the inputting of digits "1....").

Regarding claims 6, 7, 34 and 35, Larsen further discloses wherein the input field is a recipient identifier field for receiving an identifier of a recipient of a communication to be initiated and the communication is a telephone number input field

for receiving a telephone number of a party to be called (identification being the telephone number in the input field 23 or name code in field 23a, col. 5, lines 26-29).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 8-27, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Larsen (6,363,259)**, and further in view of **Pepe et al. (5,673,322)**.

Regarding claim 5, Larsen meets all limitations as applied to claim 1 above. Larsen fails to explicitly teach wherein the method is included in a method of executing a browser in the hand-held mobile device, the browser enabling a user of the hand-held mobile device to navigate hyperlinked content on a data network.

Pepe discloses an improved WWW interface (see Fig. 2), with protocol translation, security and automatic configuring features (see col. 1, lines 18-23), that allows the use of wireless connections to access the World Wide Web over a low-bandwidth network (see col. 5, line 33 to col. 6, line 5), wherein a mobile terminal having a web browser can communicate with the WWW using TCP/IP (see col. 7, lines 15-41 and col. 11, lines 31-34).

It would therefore have been obvious to one of ordinary skill in the art to incorporate the web browsing capability of Pepe into Larsen's radiotelephone in order

to provide standard web browsing adapted for wireless and low-bandwidth browsing of the World Wide Web by wireless subscribers.

Regarding claims 8 and 9, Larsen discloses all limitations as applied to claim 1 above. Larsen fails to disclose implementing operating a browser in a hand-held mobile device wherein the browser is for enabling a user of the mobile telephone to navigate hyperlinked content on a data network.

Pepe discloses an improved WWW interface (see Fig. 2), with protocol translation, security and automatic configuring features (see col. 1, lines 18-23), that allows the use of wireless connections to access the World Wide Web over a low-bandwidth network (see col. 5, line 33 to col. 6, line 5), wherein a mobile terminal having a web browser can communicate with the WWW using TCP/IP (see col. 7, lines 15-41 and col. 11, lines 31-34).

It would therefore have been obvious to one of ordinary skill in the art to incorporate the web browsing capability of Pepe into Larsen's radiotelephone in order to provide standard web browsing adapted for wireless and low-bandwidth browsing of the World Wide Web by wireless subscribers.

Regarding claim 10, Larsen further discloses wherein activation of the input field comprises inputting one or more characters in the input field (see telephone number input field 23 as illustrated in Fig. 4, col. 4, lines 26-28).

Regarding claim 11, Larsen's telephone number input field as illustrated in Fig. 4, shows wherein activation of the input field comprises inputting one or more characters according to a predefined format in the input field.

Regarding claim 12, Larsen further discloses wherein activation of the input field comprises selecting the telephone number input field (see Fig. 4, input field 23 being selected with the inputting of digits "1....").

Regarding claim 13, Larsen further discloses wherein the input field is a recipient identifier field for receiving an identifier of a recipient of a communication to be initiated and the communication is a telephone number input field for receiving a telephone number of a party to be called (identification being the telephone number in the input field 23 or name code in field 23a, col. 5, lines 26-29).

Regarding claim 14, Larsen discloses all limitations as applied to claim 1 above, but Larsen fails to explicitly teach wherein the method is included in a method of executing a browser in the hand-held mobile device, the browser enabling a user of the hand-held mobile device to navigate hyperlinked content on a data network and wherein the method as applied to claim 1 above is implemented in the executing of the browser.

Pepe discloses an improved WWW interface (see Fig. 2), with protocol translation, security and automatic configuring features (see col. 1, lines 18-23), that allows the use of wireless connections to access the World Wide Web over a low-bandwidth network (see col. 5, line 33 to col. 6, line 5), wherein a mobile terminal having a web browser can communicate with the WWW using TCP/IP (see col. 7, lines 15-41 and col. 11, lines 31-34).

It would therefore have been obvious to one of ordinary skill in the art to incorporate the web browsing capability of Pepe into Larsen's radiotelephone in order

to provide standard web browsing adapted for wireless and low-bandwidth browsing of the World Wide Web by wireless subscribers.

Regarding claim 15, Larsen further discloses wherein activation of the input field comprises inputting one or more characters in the input field (see telephone number input field 23 as illustrated in Fig. 4, col. 4, lines 26-28).

Regarding claim 16, Larsen's telephone number input field as illustrated in Fig. 4, shows wherein activation of the input field comprises inputting one or more characters according to a predefined format in the telephone number input field.

Regarding claim 17, Larsen further discloses wherein activation of the input field comprises selecting the telephone number input field (see Fig. 4, input field 23 being selected with the inputting of digits "1....").

Regarding claim 18, Larsen discloses all limitations as applied above to claim 1. In addition Larsen further discloses (see Fig. 3), the mobile device comprising a processor (10), a display (3), an input device (2) and a storage device (15). Larsen fails to disclose that the storage device stores a browser executable by the processor, with the browser including a process that implements the recited steps of claim 1 above. browser.

Pepe discloses an improved WWW interface (see Fig. 2), with protocol translation, security and automatic configuring features (see col. 1, lines 18-23), that allows the use of wireless connections to access the World Wide Web over a low-bandwidth network (see col. 5, line 33 to col. 6, line 5), wherein a mobile terminal

having a web browser can communicate with the WWW using TCP/IP (see col. 7, lines 15-41 and col. 11, lines 31-34).

It would therefore have been obvious to one of ordinary skill in the art to incorporate the web browsing capability of Pepe into Larsen's radiotelephone in order to provide standard web browsing adapted for wireless and low-bandwidth browsing of the World Wide Web by wireless subscribers.

Regarding claim 19, Larsen further discloses wherein the hand-held mobile device is a mobile telephone configured to operate on a wireless network (see col. 3, lines 33-40).

Regarding claim 20, the combination of Larsen and Pepe further discloses wherein the browser is for enabling a user of the mobile telephone to navigate hyperlinked content on a data network as taught by Pepe (mobile terminal having a web browser can communicate with the WWW using TCP/IP (see col. 7, lines 15-41 and col. 11, lines 31-34)).

Regarding claim 21, Larsen further discloses wherein activation of the input field comprises inputting one or more characters in the input field (see telephone number input field 23 as illustrated in Fig. 4, col. 4, lines 26-28).

Regarding claim 22, Larsen's telephone number input field as illustrated in Fig. 4, shows wherein activation of the input field comprises inputting one or more characters according to a predefined format in the telephone number input field.

Regarding claim 23, Larsen further discloses wherein activation of the input field comprises selecting the telephone number input field (see Fig. 4, input field 23 being selected with the inputting of digits "1....").

Claims 24-29 are rejected for the same reasons as set in the rejection of claims 18-23 above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Martin, Jr. et al. (6,509,913) discloses a method for configuring a user interface on a display screen associated with a remote computing device operating a browser program.

Beaton et al. (6,608,637) discloses a multi-tasking user interface that permits a telecommunications device to perform several communication related tasks concurrently.

Response to Arguments

7. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Appiah whose telephone number is 571 272-7904. The examiner can normally be reached on M-F 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571 272-7905. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CA

A handwritten signature in black ink, appearing to read 'C Appiah', is positioned above the printed name and title.

**CHARLES APPIAH
PRIMARY EXAMINER**